



GARY R. HERBERT
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State of Utah

DEPARTMENT OF NATURAL RESOURCES

Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director *State Engineer/Division Director*

ORDER OF THE STATE ENGINEER

For Temporary Change Application Number 01-40 (t36731)

Temporary Change Application Number 01-40 (t36731) in the name of United States of America (U.S. Department of Energy), was filed on August 2, 2010, to change the point of diversion and change the nature of use of or 180.00 acre-feet (af) of water as evidenced by Water Right Number 01-40. Heretofore, the water has been diverted from a surface source located North 3300 feet and East 3090 feet from the SW Corner of Section 27, T25S, R21E, SLB&M. The water is to be used for the indoor domestic requirements of 250 equivalent domestic units from January 1 to December 31. The water was used in all or portion(s) of Section 27, T25S, R21E, SLB&M.

Hereafter, it is proposed to divert 180.00 acre-feet of water from surface source located North 1949 feet and West 316 feet from the S $\frac{1}{4}$ Corner of Section 27, T25S, R21E, SLB&M. The nature of use of the water is being changed to other purposes. The water is to be used for the U.S. Dept. of Energy's initial ground water remedial action. The place of use of the water will remain the same as heretofore.

Notice of this temporary change application was not published in a newspaper. It is the opinion of the State Engineer that it meets the criteria of Section 73-3-3 of the Utah Code for the approval of temporary change applications.

In evaluating the various elements of the underlying rights, it is not the intention of the State Engineer to adjudicate the extent of these rights, but rather to provide sufficient definition of the rights to assure that other vested rights are not impaired by the change and/or no enlargement occurs. If, in a subsequent action, the court adjudicates that this right is entitled to either more or less water, the State Engineer will adjust the figures accordingly.

It is, therefore, **ORDERED** and Temporary Change Application Number 01-40 (t36731) is hereby **APPROVED** subject to prior rights.

This application shall automatically expire one year from the date hereof.

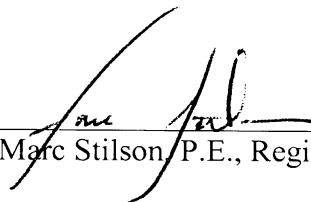
It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership.

Your contact with this office, should you need it, is with the Southeastern Regional Office. The telephone number is 435-613-3750.

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This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code which provide for filing either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20 days of the date of this Order. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this Order, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 4 day of August, 2010.




Marc Stilson, P.E., Regional Engineer

Mailed a copy of the foregoing Order this 4 day of August, 2010 to:

United States of America (U.S. Department of Energy)
200 Grand Avenue, Suite 500
Grand Junction CO 81501

Stream Alteration Section
Division of Water Rights

BY: 

Michele Gabb, Regional Secretary